

FROM THE DIRECTOR:
Katheryn Russell-Brown

A quick look back over the last 12 months shows that the Race Center has been hard at work. We continue to move forward toward our newly articulated mission of destigmatizing race, with a focus on curriculum development. Last year we sponsored the Race and Law Curriculum Workshop,



Katheryn Russell-Brown

a groundbreaking meeting. The Workshop brought together a terrific group of law faculty from across the country who study, write and teach on race and law. On the Workshop's

opening night Professor David Troutt (Rutgers) gave participants their "charge." Excerpts of his reflective and powerful talk are featured here.

Constitutional law scholar Paul Finkelman (Tulsa) gave our 2005 Spring Lecture address. His provocative talk raised important questions about race, slavery and the Constitution. This year's Spring Lecture will feature Fordham law professor Sheila Foster, an environmental law scholar. She will discuss Hurricane Katrina, focusing on issues of race, class and environment. In fall 2005, in response to a series of racially-charged editorial cartoons published in an independent student newspaper, the Center held a panel, "Playing the Race Card." The discussion drew a large audience of students, staff, faculty and community members. Professors Pedro Malavet, Ken Nunn and Sharon Rush were panelists.

In 2005 the Race Center welcomed on board Olufunke Grace Bankole, a 2004 Harvard Law graduate and 2004 Soros fellow. Ms. Bankole, a Race Center affiliate, is helping us with outreach and community development. We are very fortunate to have her. At the same time we say goodbye to Jill Mahler, the Center's first law student intern. Jill, who graduated in 2005, worked with the Center for two years. We miss her already.

A special thanks to Dean Robert Jerry and the Levin College of Law for providing the Center with more physical space. See inside for more on each of these stories (and others).

Please join us in our work.

Center for the Study of Race and Race Relations

2005 Inaugural Race & Law Curriculum Workshop

Professor David Troutt's Opening Address Kicks Off Conference

Excerpts from "The Precious Few"

The topic about which I'd like to share a few pointed observations, race pedagogy in the law school classroom context, is, like most of what we deal with, a deeply embedded subject. Yet it combines a peculiar mix of mission, social criticism and professionalism on one hand and very personal identification, self-risk and fertile passions on the other. When most of us plan for these dimensions of the curriculum, we bring our whole lives with us. And less consciously and analytically, we believe, so do our students. Which is the problem in a nutshell: the sense of the disconnect between our work and our students when it comes to the relevance, the complexity and organicity of race in the whole American cultural schema...

What have our students seen? What have they heard? Well, they bear generational

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Professor David Troutt

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My Heart Will Cross This Ocean: My Story, My Son, Amadou (2003 Ballantine)



Author Kadiatou Diallo and Levin College of Law professor Kenneth Nunn

On February 4, 1999, 23 year old Amadou Diallo was outside of his apartment building when he was brutally gunned down by 41 police officers in a spray of 41 police bullets. A native of Liberia, Amadou had immigrated to the United States three years earlier in hopes of furthering his education in the field of computer science.

The dehumanization of her son by the media, and her determination to ensure such violence would never be perpetrated against another family, fueled Ms. Diallo's determination to educate the public about police brutality and the importance of community policing.

On Tuesday, November 1, 2005, in partnership with the Institute of Black Culture and Black Pearls, the CSRRR sponsored a forum centered on issues of police brutality and accountability. Kadiatou Diallo, the keynote speaker, shared the story of her son's life and urged those in attendance to take an active role in addressing these issues by educating themselves and the general public. She also emphasized the crucial link between racism, economic depression and violence. Through speaking engagements and her recent book, *My Heart Will Cross This Ocean: My Story, My Son, Amadou*, Ms. Diallo continues her fight to promote awareness. Since the killing of her son, she has founded the Amadou Diallo Foundation, Inc., an organization whose mission is to promote racial healing and cross-cultural understanding.

Panelists included UF professors, administrators and community leaders: Kenneth Nunn (Law), Michelle Jacobs (Law), Karen Parker (Criminology), Captain Tony Jones (Gainesville Police Department), William D. Mercer, Jr. (Assistant General Counsel, UF Student Legal Services) and Tamara Cohen (Director of Lesbian, Gay, Bisexual and Transgender Affairs).

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witness to a clear ascendancy of an opportunistic right-wing rhetoric that aggressively sounds in privilege, hierarchy and self-righteousness. Through the rhetoric of patriotism and fear, they see policies of untrammelled imperialism with its naked contempt for the principles of self-determination, international law and human rights. Through the rhetoric of beneficial consumerism, they see policies promoting unregulated corporate power, privatized control amid an emaciated public sphere and routinely monetized rules of access to government decision-making. Through the rhetoric of colorblindness and individual rights, they have watched the festival sport of attacking the poor, immigrants, victims of AIDS, the accused, the profiled, the badly educated, the unrepresented, the under-resourced and the excluded. The career quests of a variety of media have by now institutionalized the denigration of dissenters, emasculating them with vile labels such as "liberals," "politically correct," "crying victims," "welfare cheats," "criminals" and "preference seekers." In this era, our students have perceived no consistently credible counter-weight from the Left ...

Most incoming law school students are truly the children of Ronald Reagan's America more than George W. Bush's. They're 22 to 25 years old, the Supreme Court has always in their memory been conservative; they're suburban and typically from places where segregation settled quietly into its foundation. The political Left has been hidden from them, and they are heavily reliant on the older people around them for a living sense of history. I love them. It is honorable work to be a student. I love the potential in their untutored voices first year and their saucy eloquence in their third year ...

Let me stop for a moment and qualify with what I also know and hear from my students. There are a precious few. Out in the deep water, there are a precious few who know struggle personally and want

to learn how to fight—for themselves and others. There are some who are in close touch with a kind of sadness of place, very aware of their own alienation in law school, mindful of their difference to the point of debilitating self-consciousness. Then there are some who come into my office to go completely off, telling me in no uncertain terms just whose unjust ass they intend to kick when they get out and how they hope to do it. And then there are the quieter ones whose interest is shy or latent but percolating, who have been waiting for opportunities to speak and who gain courage by a sympathetic elder. Their numbers are never great, but there are always a few and they are precious ...

And we must remember that everything good starts with a precious few. Every good idea we have ever had or known belongs to only a precious few. Such gems. Convention has its place, but it is no reason for regret. Of course it is easier not to confront conflicts in our culture, our classrooms, our neighborhoods, our homes. Of course we will be carried by the overwhelming tides of what powerful interests in law and culture see it in their very survival to promote as truth and light and merit. But a precious few will fight the current because it's what they know to do, some with rageful sweeps of their lonely arms at sea, others floating to their moment. And we must still be there as teachers and scholars and parents and friends, looking out, building and affirming their strength. Because the great body of experience catches up to most of us. Because we will need leaders to show us how to get through. And that, it seems to me, is how hard things are won every time it happens: A precious few discover a precious conviction and struggle to fill it with precious knowledge and precious insights and somehow, when all seems lost, stands up in the right moments with ideas so precious, so magnificent, so compelling and so necessary that more and more of us can pass through the gates, then repudiate the gates and make homes together.

UF Center for the Study of Race and Race Relations Statement on the *Alligator* Cartoon

Written September 21, 2005

The University of Florida's Center for the Study of Race and Race Relations (CSRRR) is committed to de-stigmatizing race. To this end, one of our primary goals is to foster communities of dialogue. Safe spaces have to be created to engender cross-racial dialogue on heated, racially-charged issues. Only then can honest, thoughtful, intelligent and respectful discussion take place.

On September 13, 2005, the *Independent Florida Alligator* published an editorial cartoon by Andy Marlette, a UF student. It depicts rapper Kanye West holding up a "race card" to Secretary of State Condoleezza Rice. She responds, "Nigga Please!" Many members of the UF community—students, staff and faculty—as well as members of the Gainesville community, believe the cartoon is offensive and racially derogatory.

The cartoon raises many troublesome issues. The cartoon suggests that raising issues of race (in this case the government's response to the hurricane Katrina disaster) is nonsensical, irrational and somehow self-serving on the part of African Americans. In the cartoon, "the race card" is depicted as an African American joker. The cartoon sends the message that race is not a legitimate subject for debate, rather one to be ridiculed.

Most of the outcry against the cartoon has centered on its use of the "N word."

The "N word" has a sad history in the United States, particularly in the South. In the not-so-distant past this epithet was widely and regularly used by Whites to

refer to African Americans. This slur was buttressed by a system of segregation that relegated African Americans to second-class status. The use of the term was regularly accompanied by violence – both physical and psychological. Today, the resulting wounds are part of the African American collective conscious. The fact that some African Americans publicly embrace the "N word" does not negate this history. Large numbers of African Americans still consider the "N word" a racist, derogatory term of hate, regardless of the speaker's intent, especially when uttered by a White person. The use of the "N word" by Whites to refer to Blacks is never trivial and never appropriate.

The cartoon's "humor" is on the backs of African Americans. Marlette, the *Alligator's* Art Director, and others state that they had no intention of offending anyone. However, many were offended. In response to claims that the cartoon was racially insensitive, hurtful and degrading, the *Alligator* has responded by denying that any harm has occurred. In fact, a few days following the publication of the first cartoon, it ran the same cartoon again. This one uses "politically correct" language to negate the criticism of the first cartoon. Adding insult to injury, the cartoonist has dismissed all criticism, opining that "[T]here are a lot more rational and reasonable people who like the cartoon and understand that it's not racist." He goes on to state, "I can picture a Black woman saying that to a Black man."

The University of Florida has a long

history of racial discrimination. It has only been since the 1950s that African Americans were legally permitted to attend this flagship campus. Today, African American students account for 7.2 percent of all students. Cartoons such as Marlette's—and the *Alligator* has a track record of publishing racially-charged ones—serve to alienate and stigmatize Black students and impede racial dialogue.

The Race Center respects and acknowledges the First Amendment right of free speech. It does an injustice to the notion of free speech, however, when the parties involved do not have an equal voice. UF students have no viable alternative to the *Alligator* for campus news. It is the de facto campus newspaper. This results in giving the *Alligator* the only and consequently the loudest voice.

This incident offers UF an opportunity to demonstrate leadership on issues of race and difference. UF's 2004 Faculty Reading Initiative (co-sponsored by the UF President's Office and the Race Center) was a big step forward. We urge the UF administration to continue this work. We do not believe that the *Alligator's* racially-insensitive cartoon reflects the stated or intended goals or values of the University of Florida. It is our hope that some good can come from this episode. We encourage everyone—administrators, staff, students, and community members—to speak out and "talk back." Let us challenge ourselves to move outside of our comfort zones and talk across racial lines about what race means and why it matters.

Spring Lecture 2005: *Affirmative Action for the Master Class*

The abolitionist William Lloyd Garrison once said the United States Constitution was a “covenant with death and an agreement with Hell.”

Garrison was right, argued Professor Paul Finkelman during the CSRRR’s second annual Spring Lecture, which was held April 11, 2005, at UF’s Emerson Alumni Hall.

Finkelman’s lecture was entitled “Affirmative Action for the Master Class: Understanding the Proslavery Constitution and its Implications for 21st Century America.”

“In order to fully understand modern race relations in the United States, we must first understand that we started off in the wrong direction, on the wrong foot, and to protect the wrong institutions,” Professor Finkelman explained.

Even though the word “slavery” is never mentioned in the Constitution, James Madison’s notes from the Constitutional Convention revealed both the hidden and not-so-hidden ways in which the issue of slavery was central to nearly every aspect of the drafting of the Constitution, Professor Finkelman said.

For example, the Electoral College was created to accommodate slavery. “It gave slaveholding states an extra bit of muscle,” Finkelman said, “because the slaves were counted for purposes of representation,” even though they could not vote.

Without this extra representation, Finkelman explained, laws such as the Missouri Compromise or the Fugitive Slave Law of 1850 may never have passed.

Even the process of amending the Constitution was born out of a slavery-centered compromise. “In order to pass a Constitutional amendment, three-quarters of the states must ratify it,” Finkelman said. At all times up to the Civil War, more than one-quarter of the states were slaveholding states. Therefore, it would have taken more states than there were in existence to pass an amendment abolishing slavery. “Effectively, this process would have protected slavery forever,” said Finkelman.

Other slavery-related provisions of the Constitution included the three-fifths compromise, the fugitive slave clause, the rebellions and insurrections clause, and the ban on taxation of exports, which would have effectively been a tax on slavery by taxing the main exports of the South—tobacco and rice.

“From 1787 until 1865, or perhaps even 1964, the Constitution created and protected a system of affirmative action for whites,” Finkelman concluded. “We have to recognize the impact of that system before we can even begin to address issues of race today.”



Professor Paul Finkelman delivers the second annual Spring Lecture.

Finkelman is the Chapman Distinguished Professor of Law at the University of Tulsa College of Law. He received his B.A. in American Studies from Syracuse University (1971) and his M.A. and Ph.D. in U.S. history from the University of Chicago (1972, 1976) and was a fellow in law and humanities at Harvard Law School (1982-83). He is the author, co-author or editor of more than 20 books and has written more than 80 scholarly articles and book chapters that have appeared in history journals, law reviews and books. He was an expert witness in the famous Alabama Ten Commandments Monument Case and was also an expert witness in the lawsuit over the ownership of Barry Bonds’ 73rd Home Run Ball of the 2001 season.

For more information on both past and upcoming Spring Lectures, please visit our website.

—Jill Mahler

SEVEN QUESTIONS with Professor Dorothy Roberts

1 Why study race? What interests you about race?

I study race because, despite its relatively recent invention and lack of scientific foundation, it has an immensely powerful impact on human relations. Race has been a key justification for the most brutal oppression of human beings and continues to produce unjust social hierarchies in the United States and around the world in both blatant and subtle ways. I've found that excavating the racial meanings and mechanisms underlying policies almost always helps to explain the policies better. For example, investigating the role of race in the prosecution of pregnant, substance-abusing women helped to explain why prenatal substance abuse became a crime in the first place and why it was bad policy. I also find that anti-racism work helps to generate both a broad vision of a just society and concrete policies that improve the quality of people's lives.

2 How do you incorporate race into your teaching?

We discussed race during the very first week of criminal law this year because it took place during the aftermath of Hurricane Katrina. The topic was the justifications of punishment and we had discussed the necessity defense in connection with the famous case, *Queen v. Dudley and Stephens*, involving two stranded sailors who killed and ate another person to survive. I gave the example of a starving person who steals a

loaf of bread as another case where necessity might apply. A white-collar crime case in the same section raised questions about differences in sentencing wealthy and poor defendants. We related those discussions to the Internet controversy over a photo of a Black person wading through flood waters with a loaf of bread, with the caption "looter," compared with an almost identical photo of a white couple said to have "found" the bread.

I use race in the classroom to explore questions about the role of social inequities in criminal law decision-making, including determinations of what is "reasonable." In the syllabus for my seminar on child welfare policy, which I have more control over, I include a section of readings on the impact of race on child welfare practice and politics and emphasize throughout the course that race critically shapes the kind of system we have to protect children.

3 Can you suggest a book for "beginners"—those who are interested in reading about race but don't know where to begin?

There are a number of anthologies of critical race scholarship which provide a very comprehensive background on the way racism is systematically embedded in U.S. institutions, including law, as well as alternative approaches to social justice: Kimberle W. Crenshaw, Neil Gotanda, Gary Peller, & Kendall Thomas, *Critical Race Theory: The Key Writings that Formed the Movement* (1995); Richard Delgado & Jean

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About Professor Dorothy Roberts



Dorothy Roberts is the Kirkland & Ellis Professor at Northwestern University Law School, with joint appointments in the departments of African American Studies and Sociology and a Faculty Fellow at the Institute for Policy Research, Northwestern University. Professor Roberts has produced extensive scholarship on the roles of race, gender and class in legal issues concerning reproduction, motherhood and child welfare. She is the author of *Shattered Bonds: The Color of Child Welfare*, and *Killing the Black Body: Race, Reproduction and the Meaning of Liberty*. She has also coauthored casebooks on constitutional law and women and the law and published more than 50 articles and essays in scholarly journals and books. Currently, she is conducting research on the community-level effects of the spatial concentration of child welfare agency involvement in African American neighborhoods.

Welcome:
Olufunke Grace Bankole



Olufunke Grace Bankole, a 2004 Soros Justice Fellow, is a Visiting Scholar at the Center for the Study of Race and Race Relations. Ms. Bankole, who grew up in Silver Spring, Maryland, earned a B.A. in Government from Cornell University in 2001 and graduated Harvard Law School in 2004.

Upon graduation from law school, she spent a year in New Orleans developing a project aimed at building the advocacy skills of families of at-risk or incarcerated youth. As much of her past research and writing work has centered on issues of race in the law, over the next year, Ms. Bankole will assist the CSRRR in carrying out its overall mission of de-stigmatizing race and fostering communities of dialogue on race-related issues.

Additionally, she will work closely with several community organizations, as well as at the Center for Children and Families, to implement the advocacy component of the fellowship, which focuses on issues of juvenile incarceration and family empowerment. As a daughter of Nigerian parents, Ms. Bankole is also interested in writing that explores cultural overlaps in Black experiences in Africa and the Diaspora.

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Stefancic, *Critical Race Theory: The Cutting Edge* (2d ed. 2000); Adrien Wing, *Critical Race Feminism* (2d ed. 2003). I would also suggest reading one of the formative works of critical race theory, Derrick Bell, *And We Are Not Saved: The Elusive Quest for Racial Justice* (1987).

4 What book or article caused you to think about race in a new way? How did your thinking change?

It's hard to single out one book or article. Two bodies of work had a significant impact on my thinking about race when I started my career as a legal scholar. First, as I struggled to explain what was wrong with policies that punish Black women's reproductive decisions, I came upon literature on the U.S. eugenics movement and population control ideology. Books like Troy Duster's, *Backdoor to Eugenics* (2003) and Elizabeth Hartman's, *Reproductive Rights and Wrongs* (1994), helped me to understand how theories about the dangerous reproduction of disfavored groups, especially racialized groups, legitimize social inequities and divert attention away from the need for social change.

Also pivotal to my thinking were books and articles on Black feminism, such as Patricia Hill Collins', *Black Feminist Thought* (2000). These helped me to see the inextricable linking of racism and patriarchy in inequitable social arrangements and the need to challenge both racism and sexism in social policies. I recall that Regina Austin's law review article, "Sapphire Bound!" (1989) in particular not only reinforced the relationship between race and gender in policies that punished Black women and in their resistance, but also helped give me the courage to write about poor Black women as a new law professor.

5 What's the best part of your job?

That's also hard to single out! I consider it a huge privilege to be paid and supported for researching, writing about, and advocating

against policies that I believe are unjust and working toward a more equitable society. Most people struggle to do that work in addition to putting food on the table. But it gets better because this work involves engaging with brilliant and dedicated scholars, practitioners and activists from a variety of disciplines. And I also love sharing these experiences with my students, especially the opportunities to work closely with students on directed research projects. The only thing I hate is grading exams!

6 What are you reading now?

I'm reading *Postcolonial Melancholia* (2004) by Paul Gilroy, a sociologist and chair of African American Studies at Yale. I'm working on a project involving the significance and utility of race consciousness in biotechnology and social policy, and trying to grapple with Gilroy's rejection of "race" as an antiquated concept.

7 What's your take on how the legal academy is doing with regard to incorporating race into the curriculum? What grade would give it?

As I said above, I hate grading. I think there are many professors (though probably a minority) who, like me, try to incorporate race in a curriculum that isn't geared for it. Most casebooks don't include issues of race very prominently, so professors have to make an extra effort to add them to the readings and to class discussion. Some schools now have courses on critical race theory, but they are still rare. And when classes aren't diverse, race may seem to many students like a side issue related to "policy" and not "real law."



CSRRR Lecture and Discussion Forum 'Playing the Race Card'

What is "playing the race card"? Are people of color the only ones who do it? When is it "appropriate" to raise issues of race? Are accusations of "playing the race card" accurate, or is this the new face of racism?

These and other questions were addressed at a lecture and discussion forum hosted by the Race Center this past November at the Levin College of Law. Lecture panelists included law professors Pedro Malavet, Kenneth Nunn and Sharon Rush. Nearly 100 students and professors gathered Nov. 9, 2005, to engage in substantive dialogue about these important issues of race and race relations raised by a series of cartoons published in the *Independent Florida Alligator*.

The lecture and discussion forum was designed to bring together a diverse group of faculty, students, staff and community members to "unpack" and talk candidly about the sentiments expressed in the series of cartoons, chief among them the idea of "playing the race card."

Shortly after Hurricane Katrina hit New Orleans and after rapper Kanye West publicly accused the Bush Administration of neglecting storm victims because of their race, *Alligator* cartoonist Andy Marlette penned a cartoon on the debate. In the cartoon an intimidated Kanye West holds a giant playing card featuring an African American joker. He faces Secretary of State Condoleezza Rice. She has her arms crossed over her chest and says, "Nigga Please!"

The cartoon sparked controversy on campus. Professor Kathryn Russell-Brown, director of the Center on the Study of Race and Race Relations, saw the event as not just troubling, but as a teachable moment - a chance to talk about racial issues and assumptions that too often go unexamined.

Dean Robert H. Jerry II emphasized the need for candid conversation about socially constructed categories including race. "Words matter," he said. "Language is powerful and significant. As

lawyers, we use words everyday and need to use them with precision and accuracy, or else we create stereotypes, half truths and misrepresentations."

"The implication of "the race card" has become an important symbol in the United States," one, according to Professor Malavet, "deserving critical discussion as it represents an effort to still debate on racial issues and promote White privilege."

The phrase "playing the race card," in its modern usage, emerged during the O.J. Simpson trial and was used to describe the defense strategy of attorney Johnnie Cochran. Jeffrey Toobin coined the phrase and referred to it as an "incendiary defense" and "that monstrous allegation." For Toobin "playing the race card," was an illegitimate attempt by Cochran to inject race into criminal trial proceedings; a strategy that, Toobin believed, would agitate people to riot.

"Why do people of color need to talk about race?" Professor Malavet asked "Because otherwise we are abandoning the field to the neoconservative idea of colorblindness which, in fact, masks entrenched racism and entrenched hierarchies of race."

"When is it appropriate to raise race? Just about all the time," Professor Malavet continued "The most pernicious aspect of the use of the phrase "the race card" is that it is intended to silence legitimate debate."

People of color are not the only ones who "play the race card." Whenever race is manipulated in such a way as to tap into deeply held emotions - fear or favor, love or loathing - for the purpose of garnering support or cementing rejection, that is "playing the race card." The so-called runaway bride "played the race card" as did Justice Clarence Thomas in his use of "high-tech lynching" during his confirmation hearings.

Professor Rush noted that racism is a difficult word for many White folks to hear. "Many Whites," she explained, "think that

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race is irrelevant to a situation when race is actually quite relevant, if not center stage.”

Rush argued that until race becomes personal and White people, who are truly committed to racial equality work through their fear of being called racists, little progress will be made toward greater racial understanding and productive dialog on issues of race. “My goal is to clear the cobwebs out of my own White mind, and that is an ongoing, daily struggle. Trying to understand race, racism, and racial equality and realizing that I don’t have a clue.”

Professor Nunn addressed the use of “nigga” in the controversial cartoon. Nunn argued that what made the use of “nigga” so offensive was the cartoonist’s “false sense of familiarity with the word that he had no right to claim. To insert himself into a community in which he does not belong. And take liberties that are not his to take. This is insulting.” To argue, in response, as the editors of the Alligator did, that if it is OK for African Americans to use “nigga”, it is OK for everyone to use the word, lies squarely in the vein of arguments for so-called colorblindness that ignore completely the history of race in this country, the meaning Africans Americans attach to the word “nigga,” and the contexts within which they use it.

Professor Nunn went on to argue that what was most offensive about the cartoon was not its use of “nigga,” rather it was the cartoon’s political content that he found most objectionable.

Professor Nunn reasoned that as Kanye West was the first person to point out that the federal response to Katrina reflected Bush’s lack of caring for African American people (something that had long been reflected in Bush’s prior political alignments) his actions were heroic. “What the cartoon did,” according to Professor Nunn, “was to take West’s heroic action and call it stupid.”

“This is the message of White domination, power, control and the slave master perspective that [the cartoon] wants to assure is being heard,” argued Professor Nunn. The cartoonist wanted to take what we all observed in the government’s failure to respond adequately to Katrina and erase it—say it did not, in fact, exist.

Professor Nunn concluded that what must be done is challenge the “internal fallacy of colorblindness” that proposes that race does not matter when in fact it does matter.

What accusations like “playing the race card” do, according to Professor Nunn, is “make the White community feel good about the fact that they are really doing something about racism when they are really not doing anything at all. It fits into the mythology of an embattled White community that is resisting overreaching Blacks. What it does is deflect our interest from the fact that we have White supremacy and racism in America.”

To hear the entire panel discussion, including Questions and Answers, go to:

www.law.ufl.edu/centers/csrrr/events.shtml

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Upcoming Events

February 2006
Release of CSRRR Brochure

April 11, 2006
Spring Lecture 2006
Sheila Foster, Professor of Law, Fordham University School of Law. Race and Hurricane Katrina. See website for details

June 2006
Release of 2005 Race and Law Curriculum Workshop Conference Proceeding
This publication includes a summary of all plenary and breakout sessions, as well as keynote speeches given by David Troutt and Gerald Torres, and sample course syllabi. Contact Melissa Bamba (Bamba@law.ufl.edu; (352) 273-0614) to order.

February 2008
Second Race and Law Curriculum Workshop
Details forthcoming. Visit the Center’s website for updates

Invitation

Please join us in our efforts to identify and address the many difficult but important race-related issues.

We look forward to working with you. We welcome your questions and comments at csrrr@law.ufl.edu.

New and Noteworthy Books on Race

Being White: Stories of Race and Racism

Karyn D. McKinney
Routledge. 2005 (paperback)

From the publisher

“*Being White* is a must-read for instructors and researchers striving to better understand the attitudes whites have about racial identity, and for all people with an interest in encouraging white students to recognize privilege and existent racism.”

Covering: The Hidden Assault on Our Civil Rights

Kenji Yoshino
Random House. 2005

From the publisher

“Everyone covers. To cover is to downplay a disfavored trait so as to blend into the mainstream. Because all of us possess stigmatized attributes, we all encounter pressure to cover in our daily lives. Given its pervasiveness, we may experience this pressure to be a simple fact of social life. Against conventional understanding, Kenji Yoshino argues that the demand to cover can pose a hidden threat to our civil rights.”

Like a Loaded Weapon

Robert A. Williams, Jr.
University of Minnesota Press. 2005.

From the publisher

“Exposes the U.S. Supreme Court’s history of racism against American Indians. Robert A. Williams, Jr., boldly exposes the ongoing legal force of the racist language directed at Indians in American society. Fueled by well-known negative racial stereotypes of Indian savagery and cultural inferiority, this language, Williams contends, has

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From Levin College of Law Faculty

Huck Finn’s “Hidden” Lessons: Teaching and Learning Across the Color Line

Sharon E. Rush
Rowman and Littlefield (2006)



Huck Finn’s “Hidden” Lessons questions the educational suitability of “The Adventures of Huckleberry Finn” in the classroom. Professor Rush argues that the book teaches misguided lessons about race relations. *Huck Finn’s “Hidden” Lessons* challenges the more typical understanding of Huck Finn and guides readers through an analysis that demonstrates how racism functions in the book and the classroom.

Protecting Our Own: Race, Crime, and African Americans

Katheryn Russell-Brown
Rowman and Littlefield (2006)



Inspired by the O.J. Simpson case, this book explores the reasons behind the rise of “black protectionism.” Russell-Brown examines how Blacks view Black celebrities and high-profile leaders, and why many Blacks believe they should protect and defend them when they get into legal and ethical trouble. Many African Americans believe they are still under siege and that the lucky few African Americans who find a way into the spotlight deserve a break. However, with more and more African Americans in the spotlight, this practice has new consequences. Russell-Brown argues for and provides a roadmap for “critical Black protectionism.”



Farewell and Good Luck Jill!

CSRRR Research Assistant Jill A. Mahler is among the recent graduates (2005) of the University of Florida Levin College of Law.

A New Jersey native, she initially developed an interest in issues of race when her family moved three times in five years and she observed the interactions between members of different racial groups in different areas of the country. In law school Jill served as a representative for the John Marshall Bar Association and the Law College Council, was a member of the Law School Democrats and served as president of the Association for Public Interest Law.

We asked Jill to reflect on her experience working with the Center and she had this to say: “Even though I began working at the Race Center as someone who had been interested in issues of race for several years, perhaps the most valuable thing I have learned through working here is how to talk about these issues with people of color openly, honestly, and without fear. I have learned that the issues that many people tiptoe around for fear of offending others are often the issues that others wish to confront head-on. I have learned to ask questions and to seek answers.”

Jill plans to work with the Legal Aid Society of Palm Beach County on women’s access to health care issues, including public and private insurance coverage denials, consumer law relating to medical debt and judicial waiver hearings for minors seeking abortions.

Best wishes Jill!

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functioned ‘like a loaded weapon’ in the Supreme Court’s Indian law decisions.”

The Shame of the Nation

Jonathan Kozol

Crown. 2005

From the publisher

“Over the past several years, Jonathan Kozol has visited nearly 60 public schools. Virtually everywhere, he finds that conditions have grown worse for inner-city children in the 15 years since federal courts began dismantling the landmark ruling in *Brown v. Board of Education*.”

Sundown Towns

James W. Loewen

New Press. 2005

From the book

“From Maine to California, thousands of communities kept out African Ameri-

cans (or sometimes Chinese Americans, Jewish Americans, etc.) by force, law, or custom. These communities are sometimes called ‘sundown towns’ because some of them posted signs at their city limits reading, typically, ‘Nigger, Don’t Let The Sun Go Down On You In ____.’”

Race, Sex and Suspicion: The Myth of the Black Male

D. Marvin Jones

Praeger. 2005

From publisher

“Exploring the basic conflict between the legal equality that black men possess as U.S. citizens and their social isolation stemming from white America’s perceptions of them as ‘culturally alien,’ the author sets out to provoke, stimulate, and change the negative images and stereotypes that indicate a fundamental defect in the mainframe of American culture.”

Mission Statement The Center for the Study of Race and Race Relations (CSRRR) is committed to de-stigmatizing race in America. With the objective of fostering communities of dialogue, the Center embraces historically and empirically based thinking, talking, teaching and writing on race. To this end, the Center creates and supports programs designed to enhance race-related curriculum development for faculty, staff and students in collegiate and professional schools. Of the five U.S. law schools with race centers, the CSRRR is uniquely focused on curriculum development.

Vision Statement The CSRRR is an academic research and resource center. The Center’s mission will be met through the work of various groups engaged in a wide range of activities. This work includes:

- Producing, supporting and highlighting race-related scholarship within and beyond the UF community
- Gathering, analyzing and sharing historical and contemporary knowledge about race and race relations
- Developing and supporting—through teaching, research, writing, and workshops—race-related curricula for collegiate and professional schools
- Fostering non-stigmatizing ways of discussing issues of race and ethnicity, including African Americans, Latino/as, American Indians, Asian Americans and Whites.

Book Review:

Racism Without Racists

The decision to read Professor Eduardo Bonilla-Silva's *Racism Without Racists* is based largely on my disillusionment with the lack of critical analyses that often surrounds discussions of race and race relations. Conversations – especially of the cross-racial variety – about what constitutes racism have been reduced to such blatantly racist incidents as cross burnings and use of the N-word. Largely ignored are the daily, ongoing patterns of race-related discrimination, exclusion and isolation that people of color regularly experience in America.

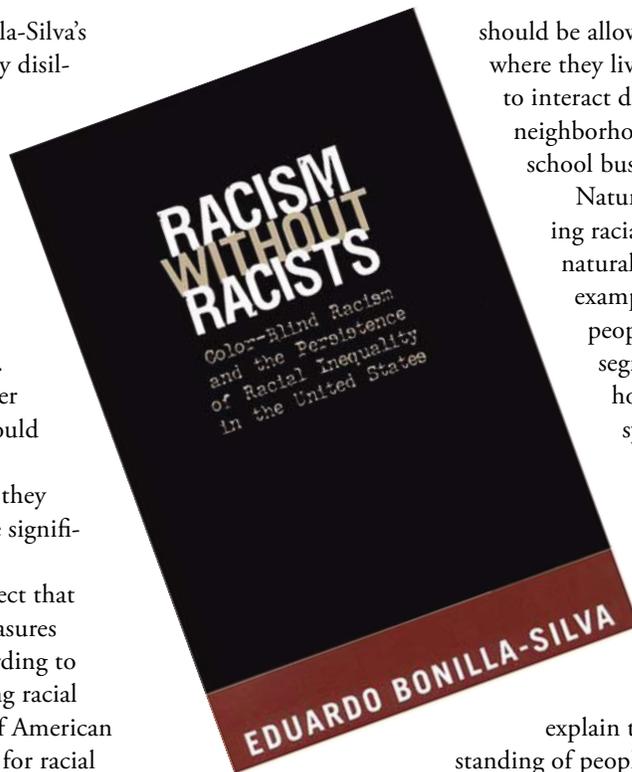
For sure, the vast majority of Whites want to steer clear of being called racist. If asked, most Whites would claim not to see color, or consider race in their daily interactions with people of color or in the decisions they make regarding where to live or with whom to share significant life experiences.

If these sentiments were genuine, we should expect that racial parity would be reflected in quality-of-life measures in education, housing, and employment. This, according to Bonilla-Silva, is certainly not the case; disparity along racial lines remains pervasive in the most critical aspects of American life. Why the disconnect between professed support for racial equality and social measures that paint a different and increasingly dismal picture?

In *Racism Without Racists*, Bonilla-Silva presents findings from a series of interviews conducted with White college students from Midwest and West Coast universities. He argues that in order to rationalize inequalities, the young Whites he interviewed embraced a new form of racism – colorblind racism.

Colorblind racism involves the subtle manipulation of seemingly nonracial rationalizations to justify present, intransigent, social and economic inequalities between Whites and people of color. Colorblind Whites don't see race as an important factor operating in the daily lives of African Americans and other people of color. Whites who adopt this approach, Bonilla-Silva finds, avoid the use of racially charged words in favor of more evasive and sophisticated language. Bonilla-Silva identified four central frames of colorblind racism in his research:

Abstract Liberalism: Using the ideology of political liberalism to argue that government intervention should not be used to achieve social policy. For example, arguing that all individuals



should be allowed to choose where they live and with whom to interact daily when issues of neighborhood segregation and school busing are raised.

Naturalization: Explaining racial disparities as natural occurrences. For example, arguing that people live in poor, segregated neighborhoods not because of systemic patterns of exclusion, but because that is “just how it is.”

Cultural Racism: Relying on supposed cultural values to

explain the socioeconomic standing of people of color. This

argument suggests that African Americans are disproportionately poor, as compared to Whites, because African Americans don't value self-help and lack motivation to improve their life circumstances.

Minimization of Racism: Arguing that while discrimination was an issue in the past, it is no longer a major determinant of the life chances of people of color. This argument is often invoked in discussions on affirmative action. A proponent of this colorblind racial frame would argue, “Slavery is over! Why should I bear responsibility for something that happened hundreds of years ago?”

Through respondents' answers to pointed interview questions, Bonilla-Silva powerfully illustrates that race still very much matters and that the claim of colorblindness is at the very least disingenuous. Bonilla-Silva boldly indicts colorblind racism and urges a more honest and critical approach to effectively address issues of race and racism.

By Olufunke Grace Bankole

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